

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ANTHONY BROOKS,

v.

UNITED STATES OF AMERICA,

Respondent.

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No. 3:14-cv-01324

Judge Trauger

**ORDER**

Anthony Brooks, a federal prisoner incarcerated at USP Lee, has filed a *pro se* motion under 28 U.S.C. § 2255, challenging a conviction and sentence issued by this Court on May 25, 2012.

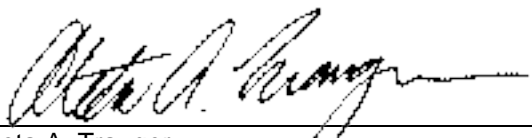
As explained in the accompanying Memorandum Opinion, the court finds that the movant is not entitled to relief. Accordingly, Anthony Brooks's motion (ECF No. 1) is hereby **DENIED** and this matter is **DISMISSED**.

The Court must issue or deny a certificate of appealability ("COA") when it enters a final order adverse to a § 2255 movant. Rule 11(a), Rules Gov'g § 2255 Proceedings. The movant may not take an appeal unless a district or circuit judge issues a COA. 28 U.S.C. § 2253(c)(1); Fed. R. App. P. 22(b)(1). A COA may issue only if the movant "has made a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2).

In this matter, Brooks raises claims of ineffective assistance of counsel in the context of a plea agreement. However, the record conclusively establishes that his counsel's performance was not deficient and that the movant was not prejudiced by any alleged deficiency. Because an appeal by the movant on the issues raised in his motion would not merit further attention, the court **DENIES** a COA. The movant may, however, seek a COA directly from the Sixth Circuit Court of Appeals.

It is so **ORDERED**.

This is a final order for purposes of Fed. R. Civ. P. 58.

  
Aleta A. Trauger  
United States District Judge